

Practitioner's Docket No. 0130.00

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEYRECEIVED
CENTRAL FAX CENTER(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)APR - 5 2004
OFFICIAL

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a continuation-in-part (C-I-P) application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Metered Dose Inhaler with Lockout

SPECIFICATION IDENTIFICATION

The specification was filed on December 10, 2003, as Serial No. 10/734,076.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER**FILING DATE**

60/436,807

December 27, 2002

Declaration and Power of Attorney--page 1 of 2

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56 and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS			Status	
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 09/852,408	09 MAY 01		X	

SEND CORRESPONDENCE TO

Guy V. Tucker
150 Industrial Road
San Carlos, CA 94070
21968

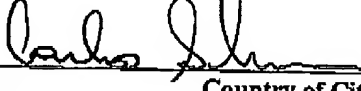
DIRECT TELEPHONE CALLS TO:


Guy V. Tucker
650-620-5501

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Carlos A. Schuler
Inventor's signature 
Date 02 Apr 04 Country of Citizenship USA
Residence Cupertino, CA
Post Office Address 22305 Carta Blanca Street, Cupertino, CA 95014

William Alston
Inventor's signature 
Date 02 Apr 04 Country of Citizenship USA
Residence San Jose, CA
Post Office Address 2336 Westmoreland Drive, San Jose, CA 95124

Declaration and Power of Attorney--page 2 of 2